

5536. (F.D.C. No. 41755. S. Nos. 8-276/7, P, 8-280 P, 8-490 P.)

INFORMATION FILED: 8-25-58, N. Dist. N.Y., against Ralph D. Robertson and Anthony J. Lolos (pharmacists), Amsterdam, N.Y.

CHARGE: Between 1-27-58 and 2-11-58, *secobarbital sodium capsules* were dispensed three times and *Gantrisin tablets* were dispensed once upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by Robertson to dispensing *secobarbital sodium capsules* once and *Gantrisin tablets* once and guilty by Lolos to dispensing *secobarbital sodium capsules* twice.

DISPOSITION: 10-23-58. Each defendant fined \$750.

5537. (F.D.C. No. 40452. S. Nos. 50-246 M, 50-252 M, 60-991 M, 60-998 M, 61-010 M, 61-012 M.)

INDICTMENT RETURNED: 4-11-58, Dist. Mass., against Nelson's Pharmacy, Inc., Lynn, Mass., and Hyman Levy (pharmacist).

CHARGE: Between 2-5-57 and 2-13-57, *pentobarbital sodium capsules*, *Gantrisin tablets*, and *Miltown tablets* were each dispensed twice upon request for prescription refills without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 9-12-58. Fine of \$500 against corporation and \$250 against individual. Individual also sentenced to 2 years in jail; jail sentence suspended and probation for 3 years.

5538. (F.D.C. No. 40485. S. Nos. 33-382 M, 33-384 M, 33-391 M, 33-398 M.)

INFORMATION FILED: 1-16-58, Dist. Nebr., against Fred Rathgeber, t/a Fred's Pharmacy, Omaha, Nebr., and Clarence Meany (pharmacist).

CHARGE: Between 5-29-57 and 7-10-57, *pentobarbital sodium capsules* were dispensed 4 times without a prescription.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 4-21-58, and was terminated on 4-22-58, with the return of a verdict of not guilty as to both defendants.

5539. (F.D.C. No. 40484. S. Nos. 49-187 M, 49-189 M, 72-790 M.)

INFORMATION FILED: 3-18-58, N. Dist. Ill., against Goodman Drug & Liquor, Inc., Chicago, Ill., and Morton S. Elboom (secretary, manager, and pharmacist for the corporation).

CHARGE: Between 4-1-57 and 8-19-57, *dextro-amphetamine sulfate capsules* were dispensed twice and *Metandren Linguets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 4-7-58. Corporation fined \$750, plus costs, and individual fined \$300.

5540. (F.D.C. No. 41176. S. Nos. 68-706/7 M, 68-714 M.)

INFORMATION FILED: 6-9-58, E. Dist. N.Y., against Mintzer Pharmacy, Inc., Brooklyn, N.Y., Leo Goldfarb (vice president), and Fred Srebnick and Irwin Brackman (pharmacists).

CHARGE: Between 6-11-57 and 7-10-57, *Miltown tablets* were dispensed twice and *dextro-amphetamine sulfate tablets* were dispensed once upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by corporation and Srebnick to dispensing a quantity of *Miltown tablets* once, by Goldfarb to dispensing another quantity of *Miltown tablets* once, and by Brackman to dispensing *dextro-amphetamine sulfate tablets* once.

DISPOSITION: 10-9-58. Corporation fined \$200; Goldfarb, \$250; and Srebnick and Brackman each \$150.

5541. (F.D.C. No. 41144. S. Nos. 57-090 M, 57-093 M.)

INFORMATION FILED: 2-19-58, N. Dist. Ga., against Clayton B. Wheeler, t/a Wheeler Peachtree Pharmacy, Atlanta, Ga.

CHARGE: Between 6-4-57 and 6-11-57, *dextro-amphetamine sulfate tablets* were dispensed twice without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 3-17-58. \$500 fine and probation for 2 years.

5542. (F.D.C. No. 39203. S. Nos. 23-279 M, 23-616 M, 23-618 M, 49-723 M, 49-725 M.)

INFORMATION FILED: 10-19-56, Dist. R.I., against Carmine Mascio and Julia Mascio, t/a Marieville Pharmacy, Inc.

CHARGE: On 3-26-56, Julia Mascio caused *dextro-amphetamine sulfate tablets* to be dispensed once upon request for a prescription refill without obtaining authorization by the prescriber, and between 4-5-56 and 4-26-56, Carmine Mascio caused *dextro-amphetamine sulfate capsules* and *pentobarbital sodium capsules* to be dispensed twice each without a prescription.

PLEA: Guilty.

DISPOSITION: 6-21-57. Julia Mascio placed on probation for 1 year. Carmine Mascio fined \$750 and sentenced to jail for 7 months; jail sentence suspended and probation for 1 year.

On 8-15-57, a petition for revocation of probation was filed against Carmine Mascio, and on 8-26-57, the court revoked the probation and sentenced the defendant to serve the jail sentence.

5543. (F.D.C. No. 41201. S. Nos. 72-235/9 M.)

INFORMATION FILED: 5-20-58, N. Dist. Ill., against William H. Kuhn Drug Store (a partnership), Joliet, Ill., and William H. Shaw and John Vidano (partners in the partnership) and Nicholas B. Kozar (pharmacist).

CHARGE: Between 9-5-57 and 10-29-57, *AM Plus capsules* (counts 1 and 2) were dispensed twice and *Neopenzine tablets* (counts 3, 4, and 5) were dispensed 3 times without a prescription.

PLEA: Nolo contendere by partnership to all 5 counts of information, by Vidano to counts 2 and 5, by Shaw to counts 3 and 4, and by Kozar to count 1.

DISPOSITION: 6-9-58. Partnership fined \$250, plus costs; Shaw and Vidano, each \$600; and Kozar, \$100.

5544. (F.D.C. No. 40445. S. Nos. 27-590 M, 53-014/6 M.)

INFORMATION FILED: 11-13-57, S. Dist. Miss., against Paul Rogers, Hattiesburg, Miss.